

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOSHUA G. FENSTERSTOCK, an individual, on his own behalf and on behalf of all similarly situated,	:	
	:	Civil Action No. 08-CV-3622-TPG
Plaintiff,	:	
v.	:	
EDUCATION FINANCE PARTNERS, a California corporation, and AFFILIATED COMPUTER SERVICES, INC., a Delaware Corporation,	:	
	:	
Defendants.	:	
	:	

**JOINDER OF EDUCATION FINANCE PARTNERS IN MOTION TO COMPEL
ARBITRATION AND FOR A STAY**

Defendant Education Finance Partners (“EFP”), by and through its attorneys, Wilmer Cutler Pickering Hale and Dorr LLP, hereby joins Defendant Affiliated Computer Services, Inc. (“ACS”) in its Motion to Compel Arbitration and for a Stay (Dkt. #8) (“Motion”). EFP thus also joins the arguments advanced in ACS’s Memorandum of Law (Dkt. #10) and Reply Memorandum of Law in support of its Motion (Dkt. #22).

All of the claims described in the Complaint (Dkt. #1) pertain to a consolidation loan made pursuant to the EFP Loan Application and Promissory Note (“Note”) signed by Plaintiff on August 8, 2006. The claims all fall within the scope of the arbitration agreement included in that Note. For the reasons set forth in ACS’s briefs, the arbitration agreement is valid and enforceable against Plaintiff.

Defendant EFP respectfully requests that this Court enter an Order: (a) compelling Plaintiff to arbitrate his claims against EFP and ACS in accordance with the terms of the

arbitration provisions of the Note; (b) staying these proceedings pending the completion of arbitration; and (c) preserving all of EFP's rights and defenses pending the completion of arbitration.

Respectfully submitted,

Dated: September 12, 2008
New York, New York

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